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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,961	08/31/2001	Seung-Cheol Hong	P54428RE	7701

7590

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EXAMINER

DHARIA, RUPAL

ART UNIT

PAPER NUMBER

2181

DATE MAILED: 06/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/942,961

Applicant(s)

HONG ET AL.

Examiner

Rupal D. Dharia

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10 and 49-54 is/are allowed.
- 6) ☒ Claim(s) 11-48 and 55-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The reissue oath/declaration filed with this application is defective because it fails to contain the statement required under 37 CFR 1.175(a)(1) as to applicant's belief that the original patent is wholly or partly inoperative or invalid. See 37 CFR 1.175(a)(1) and see MPEP § 1414. The declaration includes a statement that the error was in claiming more or less than the applicant had a right to claim in the original patent. However, the declaration does not describe how the error renders the original patent wholly or partly "inoperative" or "invalid" (MPEP 1414(II)). The statement of claiming more or less does not clearly describe the error in the original patent. Also the applicant refers to claim language, but this language does not explain whether applicant claimed more or less in the original patent. Applicant needs to state that either more or less than the applicant had right to claim (but not both) was claimed in the original patent.

2. In the declaration by the assignee, the assignee has offered to surrender original patent and a statement as to loss or inaccessibility of the original patent. The assignee can offer to surrender the original patent or state the original patent is lost or inaccessible, but cannot do both at the same time (MPEP 1416 and 37 CFR 1.178).

3. In the combined declaration and consent of Assignee, the assignee failed to establish ownership in accordance with 37 CFR 1.172(a) and 3.73 (b). There is no documentary evidence showing chain of title from the original owner to the assignee. Only an incomplete statement

Art Unit: 2181

specifying where documentary evidence of the same is recorded in the assignment records of the Office without the reel and frame number has been submitted.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 11, 12, 17, 18, 21, 22, 25, 26, 31, 32, 35, 38, 43, 46, 55, and 56 are rejected under 35 U.S.C. 102(e) as being anticipated by Bang (5,870,086).

6. As per claims 11, 17, 21, 25, 31, 35, 38, and 55, Bang teaches a power saving display device and method for controlling power thereof including a power supply providing power to a heater of a tube in a monitor (main power supply Fig. 2, Item 210); and a switch being disposed between the main power supply (heater power regulation circuit, Fig. 2, Item 240) and the heater for switching off the power to the heater when the monitor enters the power-off mode (col. 6, lines 10-25).

Art Unit: 2181

7. As per claims 12, 18, 22, 26, 32, 43, 46, and 56, Bang discloses the claimed invention as described above and furthermore teaches a control unit receiving a video synchronization signal and generating a control signal to control the switch (Fig. 2; col. 6, lines 10-27) .

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 13-16, 19, 20, 23, 24, 27-30, 33, 34, 36, 37, 39-42, 44, 45, 47, 48, 57, 58, 59, and 60, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bang (5,870,086) in view of Applicant's Admitted Prior Art (AAPA).

10. As per claims 13, 15, 19, 23, 27, 29, 33, 36, 39, 41, 57, and 59, Bang discloses various modes of power states of the monitor. However, Bang does not explicitly teach an indicator comprising a LED for indicating the present power mode of the monitor. AAPA discloses that it is well known and expected in the art to include a mode indicator including LEDs for indicating a power mode (Description of Related Art; col. 2, lines 4-14). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include an indicator in Bang's system to provide the user information about the current state of the display monitor and to prevent unnecessary mechanical breakdown of the on/off button from the user's inability to determine if the monitor is on, sleeping, or off.

11. As per claims 14, 20, 24, 28, 34, 37, 40, 44, 45, 47, 48, and 58 Bang and AAPA disclose the claimed invention as described above and furthermore teaches the present power mode being one selected from among a plurality of power modes in accordance with DPMS standards (col. 1, lines 25-30; col. 6, lines 19-20; suspend and power-off states).

12. As per claims 16, 30, 42, and 60, Bang and AAPA disclose the claimed invention as described above. However, Bang does not explicitly teach the switch (heater power regulation circuit) comprises at least one transistor. Official notice is taken in that both the concepts and advantages of using transistors for switching is well known and expected in the art of switching. It would have been obvious to one ordinary skill in the art at the time the invention was made to include the transistor as the switching circuit to provide a reliable component for switching and to adhere to common practice in the technology as the transistor is a fundamental component in all modern electronics.

Allowable Subject Matter

1. Claims 1-10 and 49-54, are allowed.
2. The following is a statement of reasons for the indication of allowable subject matter:
Prior art does not teach all of the limitations of the independent claims in combination with other elements. Specifically, prior art does not teach power management for a display monitor that contains a switching circuit provided in a heater power supply line between the output of a transformer and a heater of a color display tube of the monitor for switching off the heater power supply line when the monitor enters a power-off mode based upon receiving or not receiving video synchronization signals from a video signal from video port and further prior art does not

Art Unit: 2181

teach a mode indicator connected to indicate the power-mode of the monitor based upon a mode indicating signal in combination with the above.


Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rupal D. Dharia whose telephone number is (703) 305-4003. The examiner can normally be reached on M-F 7:00 AM- 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Wong can be reached on (703) 305-3477. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3600.


Rupal D. Dharia
Primary Examiner
Art Unit 2181

Rdd
May 30, 2002